

Notice of Allowability

Application No.

09/933,864

Examiner

John S. Chu

Applicant(s)

HALEY ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/29/04.
2. ☒ The allowed claim(s) is/are 1-8, 10-25, 27-34 and 37-61.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 1/29/04.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

John S. Chu
Primary Examiner
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REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The claimed invention is drawn to the following:

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1. (Currently Amended) An imageable composition comprising:
 - an acid curable composition;
 - an acid generator; and
 - a ~~strong-sulfonic acid~~ represented by the formula $R-SO_3H$, wherein R is a substituted or unsubstituted hydrocarbyl of 1 to 22 carbon atoms, or a substituted or unsubstituted aryl of 6 to 22 carbon atoms.
 37. (Currently amended) An imageable element comprising:
 - a substrate; and
 - an imageable composition coated on a surface of said substrate, said composition comprising: an acid curable composition; an acid generator; and a ~~strong-sulfonic acid~~ represented by the formula $R-SO_3H$, wherein R is a substituted or unsubstituted hydrocarbyl of 1 to 22 carbon atoms, or a substituted or unsubstituted aryl of 6 to 22 carbon atoms.
 40. (Currently amended) A method of producing an imaged element comprising the steps of:
 - providing a thermally imageable element comprising a substrate and a thermally imageable composition coated on a surface of said substrate, said composition comprising an acid curable composition, an acid generator and a ~~strong-sulfonic acid~~ represented by the formula $R-SO_3H$, wherein R is a substituted or unsubstituted hydrocarbyl of 1 to 22 carbon atoms, or a substituted or unsubstituted aryl of 6 to 22 carbon atoms;
 - imagewise exposing said imageable element to heat with a hot stylus to produce an imagewise exposed element having exposed and unexposed regions;
 - baking said imagewise exposed element at a temperature and period of time sufficient to produce a cured element; and
 - contacting said cured element and a developer to remove the unexposed regions and thereby produce said imaged element.

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41. (Currently amended) A method of producing an imaged element comprising the steps of:
- providing an imageable element comprising a substrate and an imageable composition coated on a surface of said substrate, said composition comprising an acid curable composition, an acid generator, and a strong acid, and an infrared absorber or photothermal converter;
 - imagewise exposing said imageable element to radiation to produce an imagewise exposed element having exposed and unexposed regions;
 - baking said imagewise exposed element at a temperature and period of time sufficient to produce a cured element; and
 - contacting said cured element and a developer to remove the unexposed regions and thereby produce said imaged element.
53. (New) An imageable composition comprising:
- an acid curable composition;
 - an acid generator;
 - a strong acid; and
 - an infrared absorber or photothermal converter.
59. (New) An imageable element comprising:
- a substrate; and
 - an imageable composition coated on a surface of said substrate, said composition comprising: an acid curable composition; an acid generator; a strong acid; and an infrared absorber or photothermal converter.
60. (New) The imageable element of claim 59, wherein the substrate is an aluminum sheet.
61. (New) An imageable composition comprising:
- an acid curable composition;
 - an acid generator; and
 - a sulfonic acid having a pKa of not more than about 8.

The claims to copending 09/933,884 have been amended thus the outstanding obviousness-type double patenting rejection as given in the current application has been overcome and is withdrawn.

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The prior art references to OSHAWA et al and TACHIKAWA et al fail to disclose the claimed invention by lacking a disclosure for the specific sulfonic acid in an imageable composition comprising an acid curable composition, and an acid generator, as recited in claims 1, 37 and 40, while also failing to disclose the presence of the strong acid in the composition with an infrared absorber or photothermal converter as claimed in claim 41, 53, 59, 61.

Because none of the prior art references of record disclose the claimed imageable composition having the specified sulfonic acid in a composition with an acid curable composition and an acid generator, the method using the imageable composition, the imageable composition comprising an acid curable composition, an acid generator, a strong acid and an infrared absorber or photo thermal converter as recited in claims 1-8, 10-25, 27-34 and 37-61, these claims are seen as allowable and passed to issue.

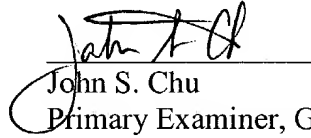
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (571) 272-1329. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

The fax phone number for the USPTO is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.


John S. Chu
Primary Examiner, Group 1700

J.Chu
February 23, 2004